

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**KEITH D. RUDOLPH,**

**Plaintiff,**

**VS.**

**MOBIS ALABAMA, L.L.C.,**

**Defendant.**

**CASE NO.: 2:06-cv-994-ID**

## **DEFENDANT'S MOTION TO WITHDRAW REQUEST FOR ATTORNEYS' FEES**

**COMES NOW** the Defendant, **MOBIS ALABAMA, L.L.C.** (hereinafter **‘Defendant’**) and pursuant to the Court’s Order dated May 15, 2007, states as follows:

1. Defendant wishes to withdraw its request for reasonable expenses and attorney's fees incurred in the defense of the Motion to Compel filed by the Plaintiff; and
2. Defendant moves the Court to cancel the hearing scheduled on May 25, 2007, requiring the Plaintiff to show cause.

As grounds for its Motion, Defendant states that the parties had a good faith disagreement over the issue at bar, and that Defendant does not wish to put more demands on the Court's time and resources.

RESPECTFULLY SUBMITTED,

/s/ Henry C. Barnett, Jr.

**HENRY C. BARNETT, JR. (BAR037)**

*Attorneys for Defendant*

**OF COUNSEL:**

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing instrument was served upon the following by email transmission and by placing a copy in the United States Mail, postage prepaid and properly addressed on this the 18th day of May, 2007.

David R. Arendall

Allen D. Arnold

ARENDALL & ASSOCIATES

2018 Morris Avenue

Birmingham, Alabama 35203

/s/ Henry C. Barnett, Jr.

OF COUNSEL